

Council/Agency Meeting Held: _____	City Clerk's Signature _____
Deferred/Continued to: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied	
Council Meeting Date: December 20, 2004	Department ID Number: PW 04-094

## CITY OF HUNTINGTON BEACH REQUEST FOR CITY COUNCIL ACTION

RECEIVED  
CITY CLERK  
CITY OF  
HUNTINGTON BEACH, CA  
DEC - 7 A 10:32

**SUBMITTED TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**SUBMITTED BY:** *Penelope Culbreth-Graft*  
PENELOPE CULBRETH-GRAFT, CITY ADMINISTRATOR

**PREPARED BY:** *Robert F. Beardsley*  
ROBERT F. BEARDSLEY, PE, DIRECTOR OF PUBLIC WORKS

**SUBJECT:** *Approve the Release Of Securities for Tract No. 15470 and Accept the Public Improvements*

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)

**Statement of Issue:** Catellus Residential Group, Inc., the developer of Tract No. 15470 (located six hundred feet north and east of the intersection of Bolsa Chica Street and Warner Avenue, south of Heil Avenue), has completed all required public improvements and is eligible to receive a release of securities pursuant to the provisions of the Subdivision Map Act.

**Funding Source:** Not applicable.

**Recommended Action:** Motion to:

1. Accept the improvements constructed and dedicated for public use with Tract No. 15470;
2. Accept Guarantee and Warranty Bond No. 929104326-W, the security furnished for guarantee and warranty of improvements, and instruct the City Clerk to file the bond with the City Treasurer;
3. Release the Faithful Performance/Labor and Material Bond No. 929104326 and Monument Bond No. 929104327 pursuant to California Government Code Section No. 66499.7(a) (Attachment 2);
4. Instruct the City Clerk to notify the developer, Catellus Residential Group, Inc., of this action and the City Treasurer to notify the surety, National Fire Insurance Company of Hartford, of this action; and,
5. Instruct the City Clerk to record the "Acceptance of Public Improvements" with the Orange County Recorder (Attachment 3).

E-7

## REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: December 20, 2004

DEPARTMENT ID NUMBER: PW 04-094

### Alternative Action(s):

Deny the recommended action. This action may violate the Subdivision Map Act.

**Analysis:** On September 20, 1999, the City Council approved Final Map No. 15470 (Attachment 1) and accepted bonds from Catellus Residential Group, Inc., the securities furnished for faithful performance, labor and material and monuments. The developer, Catellus Residential Group, Inc., has completed all required public improvements, and is requesting acceptance of the work and release of the faithful performance, labor and material and monument bonds, pursuant to California Government Code Section 66499.7(a). Public improvements constructed consist of the domestic water system and appurtenances within the public street.

The City Engineer has determined that the improvements have been constructed in substantial compliance with the approved plans and specifications, and recommends acceptance of the improvements.

Following is a list of project data:

Developer: Catellus Residential Group, Inc.  
3990 Westerly Place, Suite 120, Newport Beach, CA 92660  
Engineer: MDS Consulting, 17320 Redhill Avenue, Suite 350, Irvine, CA 92714  
Location: Six hundred (600) feet north and east of the intersection of Bolsa Chica Street and Warner Avenue, south of Heil Avenue.  
Zone: Specific Plan 8 (Meadowlark Specific Plan)  
No. of Acres: 48.4  
No. of Lots: 6 numbered and 17 lettered

**Public Works Commission Action:** Not required.

### Environmental Status:

This recommended action is a ministerial act, and is exempt from the requirements of the California Environmental Quality Act, pursuant to State CEQA Guidelines, California Administrative Code, Title 14, Chapter 3, Section 15268(b).

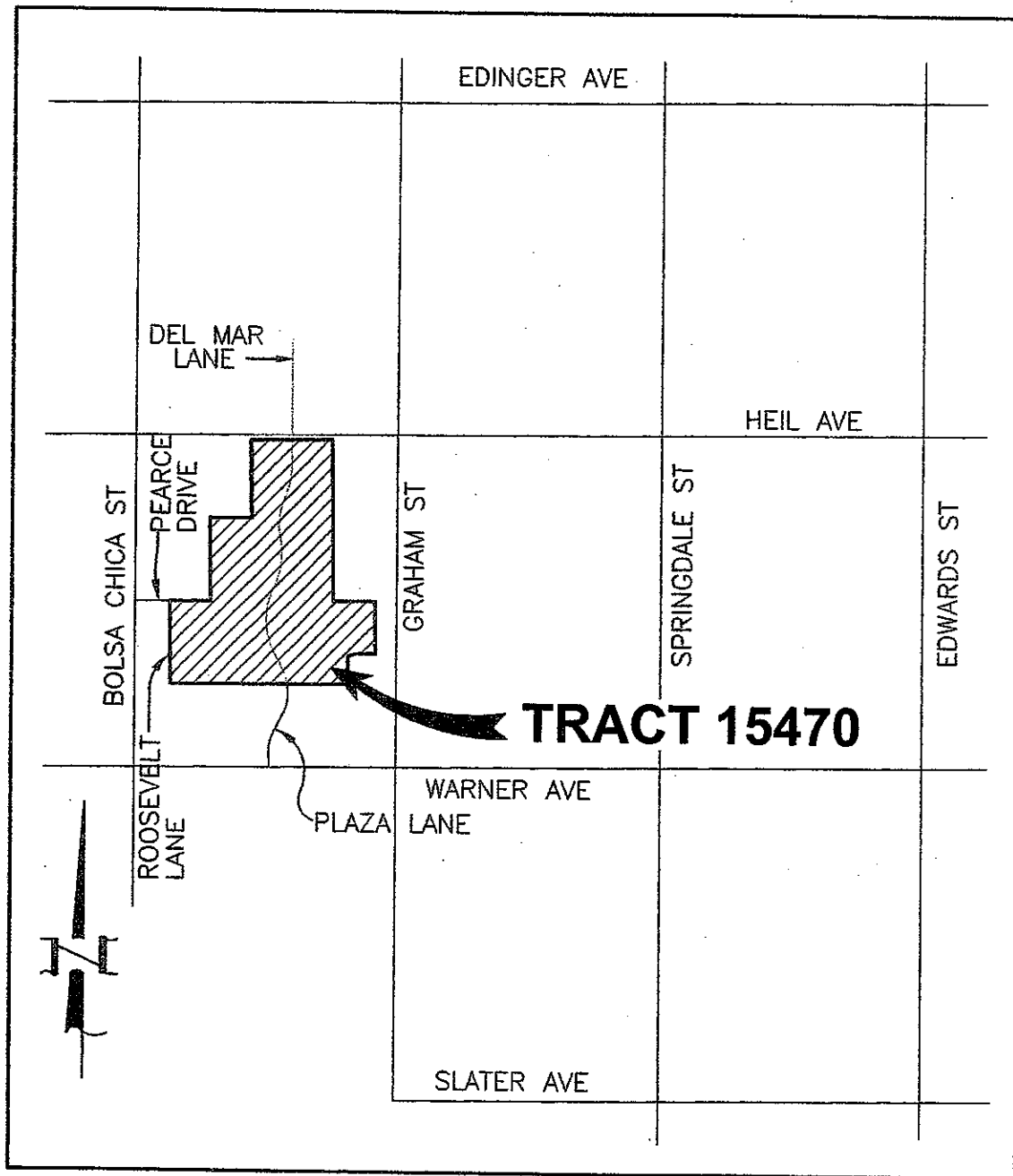
### Attachment(s):

City Clerk's Page Number	No.	Description
3	1	Location Map
5	2	Guarantee and Warranty Bond No. 929104326-W
10	3	Acceptance of Public Improvements Form

E-7.2

E-7.3

**ATTACHMENT #1**



# Location Map

E-7.4

E-7.5

# ATTACHMENT #2

**GUARANTEE AND WARRANTY BOND**

WHEREAS, CATELLUS RESIDENTIAL GROUP, as  
a Principal, and NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, a  
corporation organized under the laws of the State of CONNECTICUT  
and duly authorized to do business in the State of California, as Surety, are held and firmly bound unto the  
City of Huntington Beach, California, as Obligor, in the penal sum of TWO HUNDRED NINETY NINE  
THOUSAND THREE HUNDRED AND NO/100 representing 10 percent of the contract price (\$299,300.00)  
entered into between the Principal and Obligor, to which payment well and truly to be made we do bind  
ourselves, and each of our heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the said principal entered into a contract with said Obligor, dated \_\_\_\_\_  
\_\_\_\_\_ for work described as follows:

SUMMERLANE, HUNTINGTON BEACH CA  
TRACT 15470

WHEREAS, said contract provides that the Principal will furnish a bond conditioned to  
guarantee and warrant for the period of one year after completion of the work and acceptance thereof by  
the Obligor, against all defects in workmanship and materials during said one year period.

WHEREAS, said work has been completed, and accepted by Obligor on \_\_\_\_\_  
\_\_\_\_\_.

NOW, THEREFORE, the Principal and Surety, jointly and severally shall indemnify the  
Obligor for all loss that the Obligor may sustain by reason of any defective materials or workmanship  
which become apparent during the period of one year from and after date of completion of work and  
acceptance thereof by Obligor.

In witness whereof, this instrument has been duly executed by the principal and surety  
above named, on NOVEMBER 11, XX 2004.

CATELLUS RESIDENTIAL GROUP, as Principal

By [Signature]

By Tom Marshall  
SR. Vice President

APPROVED AS TO FORM:

[Signature]  
JENNIFER McGRATH, City Attorney

11/17/04

E-7.6

## **NOTICE**

In accordance with the Terrorism Risk Insurance Act of 2002, we are providing this disclosure notice for bonds and certain insurance policies on which one or more of the Writing Companies identified below is the surety or insurer.

To principals on bonds and insureds on certain insurance policies written by any one or more of the following companies (collectively the "Writing Companies") as surety or insurer: Western Surety Company, Universal Surety of America, Surety Bonding Company of America, Continental Casualty Company, National Fire Insurance Company of Hartford, American Casualty Company of Reading, PA, The Firemen's Insurance Company of Newark, NJ, and The Continental Insurance Company.

## **DISCLOSURE OF PREMIUM**

The premium attributable to coverage for terrorist acts certified under the Act was Zero Dollars (\$0.00).

## **DISCLOSURE OF FEDERAL PARTICIPATION IN PAYMENT OF TERRORISM LOSSES**

The United States will pay ninety percent (90%) of covered terrorism losses exceeding the applicable surety/insurer deductible.

E-7.7

## Company Profile

# NATIONAL FIRE INSURANCE COMPANY OF HARTFORD

CNA PLAZA 333 S WABASH  
CHICAGO, IL 60685  
800-993-5006

### Agent for Service of Process

JERE KEPRIOS, C/O CT CORPORATION SYSTEM 818 WEST SEVENTH STREET, 2ND FLOOR  
LOS ANGELES, CA 90017

Unable to Locate the Agent for Service of Process?

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### Reference Information

NAIC #:	20478
NAIC Group #:	<u>0218</u>
California Company ID #:	0128-9
Date authorized in California:	August 05, 1884
License Status:	UNLIMITED-NORMAL
Company Type:	Property & Casualty
State of Domicile:	CONNECTICUT

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### Lines of Insurance Authorized to Transact

The company is authorized to transact business within these lines of insurance. For an explanation of any of these terms, please refer to the glossary.

AIRCRAFT  
AUTOMOBILE  
BOILER AND MACHINERY  
BURGLARY  
COMMON CARRIER LIABILITY  
CREDIT  
DISABILITY  
FIRE  
LIABILITY

E-7.8



MARINE  
MISCELLANEOUS  
PLATE GLASS  
SPRINKLER  
SURETY  
TEAM AND VEHICLE  
WORKERS' COMPENSATION

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## Company Complaint Information



[Company Enforcement Action Documents](#)

[Company Performance & Comparison Data](#)

[Composite Complaint Studies](#)

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## Want More?

[Help Me Find a Company Representative in My Area](#)

[Financial Rating Organizations](#)

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Last Revised - November 04, 2004 11:18 AM  
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[Disclaimer](#)

E-7.9



E-7.10

# ATTACHMENT #3

Recording requested by,  
and when recorded return to:

Joan Flynn, City Clerk  
Office of the City Clerk  
CITY OF HUNTINGTON BEACH  
P.O. Box 190 – 2000 Main Street  
Huntington Beach, Ca. 92648

(Space above this line for Recorder's use only)

**ACCEPTANCE OF PUBLIC IMPROVEMENTS**  
(Huntington Beach Zoning and Subdivision Ordinance Section 255.22)

PLEASE TAKE NOTICE THAT on November 30, 2004, the City Engineer considered the subdivision improvements described below, and found them to have been completed satisfactory and accepted, as limited by *Huntington Beach Zoning and Subdivision Ordinance Section 255.22(A)*, the improvements for public use.

Further, the public improvements for the subdivision(s) have been dedicated to the City of Huntington Beach, as described on Final Map No. 15470.

Public improvements constructed consist of the domestic water system and appurtenances.

The Foregoing instrument is the City Clerk's Original Document Reflecting City Council Action Taken at December 20, 2004 City Council Meeting Submitted for Recordation by the Orange County Recorder.

Attest \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
City Clerk and Ex-officio Clerk of the City Council Of the City of Huntington Beach, California

By \_\_\_\_\_ Deputy

CITY OF HUNTINGTON BEACH

  
by: City Engineer

E-7.11